

RONDA BESELT aka RONDA  
MELNYCHUK-BESEL'T, MARK  
WARREN BESELT,

Plaintiffs,

CIVIL 16-1-0597 (2)  
NO.:

VS. ,

WALDORF-ASTORIA  
MANAGEMENT, LLC, et al.,

Defendant.

## DEPOSITION OF RONDA BESELT

Taken on behalf of Defendant at Ralph Rosenberg Court Reporters, 2233 W. Vineyard Street, Suite A, Wailuku, Maui, Hawaii, commencing at 9:00 a.m. on Tuesday, May 28, 2019.

REPORTED BY: LYNANN NICELY, RPR/RMR/CRR/CSR #354

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HONOLULU, HAWAII (808) 524-2090

EXHIBIT "5"

A P P E A R A N C E S

For the Plaintiffs:

PETER C. HSIEH, ESQ.  
Davies Pacific Center  
841 Bishop Street, Suite 2201  
Honolulu, Hawaii 96813

For the Defendants:

CALVIN E. YOUNG, ESQ.  
STACY Y. MA, ESQ.  
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I N D E X

EXAMINATION:

PAGE

BY MR. YOUNG

5

09:11:25 1 VIDEOGRAPHER: This is the deposition of  
09:11:28 2 Ronda Beselt in the matter of Ronda Beselt, et al., vs.  
09:11:35 3 Waldorf-Astoria Management, LLC. We are located at  
09:11:37 4 Ralph Rosenberg Court Reporters, 2233 W. Vineyard  
09:11:42 5 Street, Wailuku, Hawaii.

09:11:43 6 My name is Keone Sallas, video specialist  
09:11:48 7 for Certified Legal Video Services. Will counsel  
09:11:48 8 please state your name.

09:11:50 9 MR. YOUNG: Calvin Young and Stacy Ma for  
09:11:53 10 defendant.

09:11:53 11 MR. HSIEH: Peter Hsieh for plaintiff Ronda  
09:11:58 12 Beselt.

09:11:58 13 VIDEOGRAPHER: Today is May 28th, 2019.  
09:12:02 14 We're on the record at 9:11 a.m. Would the court  
09:12:05 15 reporter please swear in the deponent.

16 RONDA BESELT,  
17 having first been duly sworn, testified upon their oath  
18 as follows:

19 EXAMINATION

20 BY MR. YOUNG:

09:12:22 21 Q. Good morning, Ms. Beselt, please state your  
09:12:25 22 full name for the record.

09:12:28 23 A. Ronda Beselt.

09:12:32 24 Q. Are you ready to get started?

09:12:32 25 A. Yeah, I just told you my name is Ronda

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04:46:58 1 A. They were handwritten notes.

04:46:59 2 Q. And it would be notes that she made herself?

04:47:03 3 A. Yes.

04:47:03 4 Q. And it would be a note that she made

04:47:07 5 herself, that she made during visits with you?

04:47:09 6 A. Yes.

04:47:11 7 Q. And when did you first learn about these

04:47:15 8 notes?

04:47:15 9 A. Approximately February of 2018.

04:47:24 10 Q. And did you learn about the contents of

04:47:32 11 these notes as you were gathering records for this

04:47:36 12 lawsuit?

04:47:36 13 A. I wasn't gathering records for the lawsuit

04:47:41 14 in that timeframe.

04:47:42 15 Q. Okay. Were you reviewing records that had

04:47:45 16 already been gathered by somebody else?

04:47:47 17 A. No.

04:47:50 18 Q. How did you come to see Dr. Bajwa's records

04:47:55 19 from 2010 in early 2018?

04:47:58 20 A. I viewed them.

04:48:01 21 Q. I'm sorry?

04:48:02 22 A. I viewed them.

04:48:03 23 Q. Okay. And how did you view them?

04:48:05 24 A. From my file.

04:48:07 25 Q. And did you have to view them at Dr. Bajwa's

04:48:12 1 office?

04:48:13 2 A. No.

04:48:13 3 Q. So how did you see -- are you allowed to  
04:48:18 4 access your own records?

04:48:20 5 A. No.

04:48:21 6 Q. Then how did you see those records?

04:48:23 7 A. I went to Health Records and I looked at  
04:48:27 8 them.

04:48:27 9 Q. Okay. And when you say you went to Health  
04:48:30 10 Records?

04:48:31 11 A. Uh-huh.

04:48:32 12 Q. Is that a repository, a central type  
04:48:36 13 repository for medical records?

04:48:38 14 A. That's one location where medical records  
04:48:40 15 are stored.

04:48:40 16 Q. And who sends medical records to that  
04:48:44 17 repository?

04:48:45 18 A. The doctors that write -- that's the doctors  
04:48:53 19 store them at that facility.

04:48:54 20 Q. Are those doctors that are a part of Alberta  
04:48:58 21 Health?

04:48:58 22 A. Yes.

04:48:59 23 Q. And are patients allowed to access their own  
04:49:03 24 records at this repository?

04:49:05 25 A. You can ask to view your own records, yes.

04:49:12 1 Q. Okay. So the answer is yes, you are allowed  
04:49:13 2 to do that; correct?

04:49:13 3 A. Uh-huh.

04:49:14 4 Q. And how do you do that? Do you just show up  
04:49:16 5 and make a request?

04:49:17 6 A. Yes, you can make a request.

04:49:19 7 Q. Okay.

04:49:20 8 A. They set up a time and then they tell when  
04:49:24 9 you to come.

04:49:25 10 Q. Is that what you did?

04:49:26 11 A. Yeah, I made a request.

04:49:27 12 Q. And why were you viewing your records in  
04:49:29 13 early 2018?

04:49:30 14 A. I only viewed one record, one physician's  
04:49:36 15 record.

04:49:37 16 Q. One page or one doctor's set of records?

04:49:42 17 A. One doctor's. One doctor.

04:49:43 18 Q. Okay. So you looked at Dr. Bajwa's records  
04:49:46 19 that pertained to you?

04:49:47 20 A. No.

04:49:48 21 Q. Okay. Which records were you looking at?

04:49:51 22 A. I looked at Dr. Nathan's records.

04:49:53 23 Q. Okay. So you looked at Dr. Bajwa's records  
04:49:59 24 that included records from Dr. Natho?

04:50:03 25 A. No, I looked at Dr. Natho's records that

04:50:07 1 included a couple of pages from the referral that

04:50:09 2 Dr. Bajwa made to Dr. Natho.

04:50:13 3 Q. And how did you -- why did you come to want  
04:50:16 4 to look at Dr. Natho's records?

04:50:19 5 A. Because I wanted to know what was in my  
04:50:21 6 records. Because, typically, you never know what's in  
04:50:24 7 your records. Doctors never typically show you what's  
04:50:27 8 in your records.

04:50:28 9 Q. Okay. What type of doctor is Dr. Natho?

04:50:32 10 A. She's a family physician.

04:50:33 11 Q. And when did she treat you?

04:50:35 12 A. I first saw her twice in September of 2010.  
04:50:43 13 Then I went back to her in November of 2011 until  
04:50:50 14 approximately December of 2013.

04:50:53 15 Q. And five years later, you decided to look at  
04:50:57 16 Dr. Natho's records pertaining to you?

04:50:59 17 A. Yes.

04:51:00 18 Q. And why?

04:51:00 19 A. I wanted to know what was in my record.

04:51:03 20 Q. But why particularly Dr. Natho's records in  
04:51:08 21 early 2018?

04:51:09 22 A. I was curious.

04:51:13 23 Q. Why did you become curious?

04:51:15 24 A. I don't know.

04:51:16 25 Q. What spurred you to go to the central

04:51:22 1 records and ask to see are Dr. Natho's records that  
04:51:26 2 were part of a referral from Dr. Bajwa regarding you?

04:51:30 3 A. Because I wanted to know what was in my  
04:51:34 4 records.

04:51:34 5 Q. But why did you choose to only look at  
04:51:37 6 Dr. Natho's records, as to other records of you,  
04:51:40 7 because, as we now know, you apparently have seen over  
04:51:44 8 200 doctors.

04:51:45 9 A. I don't know, I haven't done a count.

04:51:48 10 Q. Well we have.

04:51:48 11 A. Okay.

04:51:49 12 Q. So why did you choose to look at Dr. Natho's  
04:51:54 13 records only, at that time?

04:51:56 14 A. Because I was curious.

04:51:58 15 Q. But what spurred your curiosity?

04:52:02 16 A. I just was.

04:52:04 17 Q. Well, ma'am, you're going to have to explain  
04:52:06 18 to us at some point why you went there, because if you  
04:52:09 19 don't explain it now, we will ask the Court to force  
04:52:13 20 you to answer us, because I believe you're being  
04:52:15 21 evasive, and you won't give us the reason why you chose  
04:52:18 22 to only look at one doctor's records in February of  
04:52:22 23 2018?

04:52:22 24 MR. HSIEH: I'm going to object to that  
04:52:24 25 instruction or commentary. It's badgering. The



04:52:28 1 question has been asked and answered. Just because you  
04:52:30 2 don't like her answer doesn't mean that she's not being  
04:52:33 3 responsive.

04:52:34 4 MR. YOUNG: We'll approach it this way then.  
04:52:37 5 Mark this as the next exhibit.

04:52:38 6 (Deposition Exhibit 13 was marked.)

04:52:55 7 BY MR. YOUNG:

04:52:55 8 Q. Exhibit 13 is a letter dated July 2018, but  
04:53:00 9 it doesn't have a date of the month on it. But it is  
04:53:04 10 signed by you; is that correct?

04:53:06 11 A. That's correct.

04:53:07 12 Q. And who were you writing this letter to?

04:53:11 13 A. Health Records.

04:53:13 14 Q. Would that be --

04:53:15 15 A. Wait -- information and Privacy, Alberta  
04:53:20 16 Health Services.

04:53:20 17 Q. And did you author this entire letter  
04:53:28 18 yourself?

04:53:29 19 A. Yes, I did.

04:53:30 20 Q. And is every word in this letter yours?

04:53:36 21 A. Yes, it is.

04:53:37 22 Q. And why did you write this letter in  
04:53:48 23 July 2018?

04:53:48 24 A. Because I disagreed with the diagnosis.

04:53:52 25 Q. And what diagnosis?

04:53:53 1 A. She gave me postpartum depression and  
04:53:57 2 anxiety diagnosis in 2010.

04:53:59 3 Q. And you disagreed that you had those  
04:54:04 4 conditions in 2010?

04:54:05 5 A. That's correct.

04:54:06 6 Q. And why were you asking the records be  
04:54:13 7 changed eight years later?

04:54:15 8 A. Because I disagreed with the diagnosis.

04:54:18 9 Q. Have you gone through and looked at any of  
04:54:21 10 your other records to see if there is any other medical  
04:54:24 11 record that you disagree with?

04:54:24 12 A. I'm sure there are records that I disagree  
04:54:38 13 with.

04:54:39 14 Q. Are you just guessing?

04:54:40 15 A. I know I'm not supposed to guess, but yes.

04:54:45 16 Q. Isn't it true that the reason you wanted  
04:54:51 17 Dr. Natho's records revised is because you knew that  
04:54:54 18 Dr. Natho's records would be reviewed by the experts in  
04:54:57 19 this lawsuit, and you didn't want information that you  
04:55:01 20 believed was erroneous to be considered by the experts  
04:55:03 21 in this case?

04:55:04 22 A. No, I went to view my records because I  
04:55:09 23 didn't know what was in my records. When I viewed my  
04:55:13 24 records, I realized that there was errors in my  
04:55:16 25 records.

04:55:16 1 Q. Okay. So --

04:55:17 2 A. And I requested the doctors to change the  
04:55:19 3 errors in my records.

04:55:21 4 Q. Okay, so as you testified, you went to look  
04:55:26 5 at Dr. Natho's records, based upon the referral that  
04:55:31 6 Dr. Bajwa had made of you, and those were the only  
04:55:35 7 doctors' records that you reviewed; is that right?

04:55:37 8 A. Since when?

04:55:39 9 Q. In early 2018, ma'am.

04:55:43 10 A. I saw lots of records, sir.

04:55:46 11 Q. I'm sorry?

04:55:47 12 A. I've seen a lot of records, like you said,  
04:55:50 13 there is over 200 providers. I've seen a lot of  
04:55:52 14 records.

04:55:52 15 Q. I didn't ask you if you had seen a lot of  
04:55:55 16 records. You said that you went to AHS, right, Alberta  
04:56:03 17 Health Services, to look at your records in early 2018,  
04:56:06 18 and the only doctors' records you asked to see were  
04:56:10 19 Dr. Natho's records pertaining to you; is that right?

04:56:13 20 A. No, I asked for my file, and in my file was  
04:56:17 21 Dr. Natho's records. I asked for the handwritten  
04:56:21 22 records, not the electronic records that they have  
04:56:24 23 because that would be voluminous, but I asked for my --  
04:56:28 24 the handwritten records that were in paper form and  
04:56:32 25 held at Health Records, and Dr. Natho's was in that

Contra at 214/12-16

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04:56:32 1 pile.

04:56:38 2 Q. Okay. So that's not what you said earlier,  
04:56:41 3 ma'am. You said that you only looked at Dr. Natho's  
04:56:42 4 records, when I asked you which doctors' records you  
04:56:46 5 looked at.

04:56:46 6 A. Well, I looked at Dr. Naples and Dr. Cooper  
04:56:50 7 because I responded ^^ lost 0.6 loss that Dr. Cooper  
04:56:53 8 only provided. So I looked at Dr. Cooper's as well, so  
04:56:56 9 I'm sorry if I forgot that.

04:56:57 10 Q. Did you look at Dr. Bajwa's handwritten  
04:57:00 11 records of you?

04:57:03 12 A. Dr. Bajwa doesn't typically have handwritten  
04:57:07 13 records --

04:57:07 14 Q. That wasn't my question.

04:57:07 15 A. -- to my understanding.

04:57:11 16 Q. I asked you if you had looked at Dr. Bajwa's  
04:57:13 17 handwritten records?

04:57:14 18 A. I looked at the handwritten record that  
04:57:17 19 Dr. Bajwa had sent to Dr. Natho because it's in the  
04:57:19 20 same file.

04:57:20 21 Q. So you did look at Dr. Bajwa's handwritten  
04:57:24 22 records?

04:57:24 23 A. Well, that page or two that was in that  
04:57:26 24 file.

04:57:26 25 Q. Okay. And you did look at Dr. Natho's

04:58:36 1 A. Right.

04:58:36 2 Q. Did you make copies of those handwritten

04:58:40 3 records?

04:58:40 4 A. I made handwritten notes.

04:58:44 5 Q. So are you telling me you did not make any

04:58:48 6 copies of the doctors' handwritten notes?

04:58:51 7 A. There were some pages, they gave me a couple

04:58:57 8 pages.

04:58:58 9 Q. Okay.

04:59:00 10 A. But I didn't have the whole file. Whatever

04:59:02 11 the amount of file is, no, I didn't have the entire

04:59:05 12 file.

04:59:07 13 Q. Did you have copies of any of the files that

04:59:11 14 you reviewed made for you?

04:59:16 15 A. Not the whole copy, no.

04:59:19 16 Q. I didn't ask you if you made a copy of the

04:59:22 17 entire file, especially since you can't tell me how

04:59:25 18 many pages were in there. I asked you if you had

04:59:27 19 copies made of any portion of that file that you

04:59:30 20 reviewed when you went to Alberta Health Services to

04:59:33 21 look at the handwritten notes?

04:59:34 22 A. Yes, I had some pages.

04:59:37 23 Q. And how many pages did you have copied?

04:59:39 24 A. I don't know.

04:59:40 25 Q. And where are those copies today?

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05:24:38 1 Q. Okay.

05:24:39 2 A. Can we take a break?

05:24:41 3 Q. Yes, we can.

05:24:43 4 VIDEOGRAPHER: Going off the record at

05:24:47 5 5:24 p.m.

05:46:24 6 [Brief recess]

05:46:24 7 VIDEOGRAPHER: We are back on the record at

05:46:38 8 5:46 p.m.

05:46:42 9 MR. YOUNG: Counsel, I understand that your

05:46:43 10 client has a couple supplemental statements.

05:46:46 11 MR. HSIEH: Yeah. My client wants to

05:46:49 12 provide a further response to two areas of questioning

05:46:52 13 that you had. The first one had to do with why she

05:46:56 14 looked at Dr. Natho's records, whereupon she came upon

05:47:04 15 Dr. Bajwa's notes. And I think her response was she

05:47:07 16 was curious, she just wanted to look, but she wanted to

05:47:10 17 clarify that. The second area of examination that she

05:47:13 18 wanted to respond to further was your question as to

05:47:17 19 whether or not any health care provider had ever

05:47:20 20 diagnosed her with PTSD, other than plaintiff expert

05:47:26 21 Dr. Harold Hall. So go ahead.

05:47:26 22 THE DEPONENT: Thank you.

05:47:29 23 MR. HSIEH: So with respect to the first

05:47:31 24 area, why did you -- in responding to -- to respond to

05:47:37 25 Mr. Young's question previously, why did you -- why

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05:47:41 1 were you looking at Dr. Natho's records?

05:47:46 2 THE DEPONENT: I went back to look at  
05:47:50 3 Dr. Natho's records and subsequently Dr. Cooper's as  
05:47:55 4 well. I didn't agree with the diagnosis of postpartum  
05:48:01 5 depression and anxiety, and I knew that my records were  
05:48:11 6 going to go, and I didn't want inaccurate information  
05:48:13 7 to be sent out, and I was embarrassed because I didn't  
05:48:23 8 feel that I met the criteria for postpartum depression  
05:48:28 9 anxiety in 2010. And so I went to look at my records  
05:48:36 10 to see if her diagnosis was accurate, and in my  
05:48:41 11 opinion, I didn't feel that it was.

05:48:45 12 MR. HSIEH: And you felt it important to  
05:48:47 13 correct that because of this lawsuit?

05:48:49 14 THE DEPONENT: Yes, because I feel like it  
05:48:52 15 would have hindered all the emotional distress and the  
05:48:58 16 psychological and psychiatric symptoms I've had since  
05:49:03 17 being hit by the umbrella and I was -- I worried that  
05:49:07 18 it would lessen what I truly experienced after the  
05:49:13 19 umbrella. Even though it was many years beforehand.

05:49:19 20 MR. HSIEH: Do you want to follow up with  
05:49:20 21 any questions before she goes on to the second area.

05:49:23 22 MR. YOUNG: No.

05:49:24 23 MR. HSIEH: Okay. So on the second area of  
05:49:27 24 examination, where Mr. Young asked you whether or not  
05:49:32 25 any of your treating physicians had ever diagnosed you